

The Advocate

For and about small businesses and local governments affected by environmental regulations

PD-006/04-01

Volume 9, Issue 1 / January - March 2004

2004 Dates to Remember

January

- 1 ● Water systems that treat ground-water must have monitoring plans
 - Community and non-transient, non-community water systems must begin monitoring for Disinfectant By-Products
- 25 ● Industrial and hazardous waste annual summary report (paper filers)
 - Used oil collection center report and re-registration
 - Used oil processors and re-refiners biennial report
 - Used oil filter handlers biennial report and re-registration
- 30 ● Drinking water investor-owned utilities, districts, water supply corporations, and counties remit regulatory assessment fees
- 31 ● Stage II vapor recovery exemption confirmation form

February

- 1 ● Dry cleaners submit quarterly registration fee payment

March

- 1 ● Water rights holders submit annual water use report
 - Industrial and hazardous waste annual summary report (electronic filers)
 - Medical waste transporter and self-transporter annual waste report
 - On-site treatment of medical waste on mobile vehicles report
 - Scrap tire transporter annual activity report
 - Scrap tire facility and storage site combined annual activity report

31 ● Air Emissions Inventory

- Benchmark monitoring summary for storm water general permit holders

April

- 1 ● Investor-owned utilities must submit service and financial report

May

- 1 ● Dry cleaners submit quarterly registration fee payment
- 3 ● TCEQ Environmental Trade Fair opening day

June

- 15 ● Liquid waste (sludge) transporter annual summary
- 30 ● Semi-annual report for Categorical Industrial Users that discharge to Publicly Owned Treatment Works lacking an approved pretreatment program

July

- 1 ● Toxics Release Inventory (TRI)
 - Water systems must have distributed Consumer Confidence Reports (CCR) on drinking water quality to their customers

August

- 1 ● Water systems must submit Certificate of Delivery of CCR
 - Dry cleaners submit quarterly registration fee payment
- 31 ● New source review permit applications due for formerly grandfathered facilities

September

- 1 ● Sludge hauler fees
 - Air permit applications due for formerly grandfathered facilities

December

- 31 ● Semi-annual report for CIUs that discharge to POTWs lacking an approved pretreatment program

Variable

- A water district must submit its Annual Financial Report within 45 days of the end of its fiscal year
- A water district must submit its Audit Report & Audit Filing Affidavit within 135 days of the end of its fiscal year
- If you are required to self-certify your underground storage tank, submit your PST delivery certificate renewal at least 30 days before your current certificate expires. Your expiration date is the last day of the month corresponding to the last digit of your owner number. For example, if your owner number ends in a 5, then your certificate expires on May 31 and your renewal is due on May 2. If you are unsure about your expiration date, please call 1-800-447-2827.
- PST certificate billing occurs in September or October. Payment is due 30 days after the "invoice date" shown on your billing statement. ■

Note: All forms are available on the TCEQ Web site at www.tnrc.state.tx.us/forms.html. If you need help locating a form, please contact your local SBLGA specialist or call 1-800-447-2827.

Revisions to Air Rules Open for Public Comment

Now is your chance to have input into air “permit-by-rule” (PBR) regulations. Over the next several months, the TCEQ will be reviewing its PBR rules to make sure that they are up-to-date and that they protect Texas air quality.

Like any rule-making or rule-changing process, PBR review is open to comments from the public and from affected businesses. If a rule under consideration applies to you, take this opportunity to comment on the proposed changes and to raise any concerns that you might have.

So far, the PBR review team has reviewed the PBR rules covering three areas: trench burners or “air curtain incinerators,” dual-chambered incinerators, and soil and water cleanup activities or “remediation.” The major proposed changes are outlined below.

Trench Burners

The most important change proposed for this area would allow applicants to get both their air and waste authorizations under a single PBR, instead of requiring a separate waste permit (except for landfills). Other important changes include:

- a new annual operating limit of 500 hours for both permanent and temporary air curtain incinerators; and
- a change in distance requirements from 300 feet from an off-site receptor to 300 feet from the property line.

Soil and Water Cleanup Activities

Proposed rule changes will make it easier for gas stations, dry cleaners, and other small businesses to clean up contaminated sites by allowing them to qualify for a PBR. Many sites that were located too close to other businesses to meet old PBR requirements for cleanup activities will be able to qualify for this new PBR by meeting additional control and record-keeping requirements.

Dual-Chambered Incinerators

The proposed rule outlines new requirements for law enforcement agencies

that want to burn confiscated drugs in dual-chambered incinerators.

Comments

The air curtain incinerator, dual-chambered incinerator, and remediation PBRs will be open for public comment during January. If you would like to comment on any of these rules, you can do so

at a public meeting to be held in Austin on February 26, or you can fax or mail written comments to the TCEQ. Mention “Rule Log Number 2003-030-106-AI” and fax your remarks to 512/239-4808 or mail them to:

Joyce Spencer, OEPAA, MC-205
PO Box 13087
Austin, TX 78711-3087 ■

Top Violations by Metal Finishers

- Waste record-keeping violations (no waste determinations, no monthly accumulation records)
- Hazardous waste storage violations (storing too much waste on site, no secondary containment)
- Unauthorized discharges (spills, unauthorized storm water discharges, discharging to a POTW without authorization)
- No air permit or permit by rule
- Tank system design and installation violations
- Chrome NESHAP/MACT violations
- No or improper contingency plan
- No source reduction and waste minimization plan
- No personnel training (how to store and inspect waste containers)
- Creating nuisance conditions (odors from plating, odors from waste storage)



Is Your Metal Finishing Business in Compliance?

How do you know if your metal finishing business is in compliance? Turn to these resources for help.

- Get *An Environmental Guide for Texas Metal Finishers* (RG-291), which guides you through all of the TCEQ regulations for metal finishers.
- Download a compliance checklist and other helpful tools from the SBLGA Web site for metal finishers at www.tnrcc.state.tx.us/exec/sbea/sblga/metalfin.html
- Participate in the SBLGA Site Visit program. This program gives you a confidential evaluation of your site’s environmental compliance. If you correct problems found during this initial visit and demonstrate complete compliance on a follow-up visit, you will be certified as a Compliance Commitment (C2) partner. **Your reward? A one-year waiver of scheduled inspections by the TCEQ, the EPA, and local enforcement programs** in Houston, Galveston, Dallas, and Fort Worth.
- Implement an environmental management system (EMS). The SBLGA publication *A Model Environmental Management System for a Small Business: Metal Finisher* (GI-304a) describes a typical metal finisher’s EMS and could give you ideas for solutions to put in place at your site. Among other benefits, an EMS often results in better environmental performance.

Both C2 and EMS can also improve your compliance history score. To request publications, or for more information, contact your local SBLGA specialist or call 1-800-447-2827. ■

Assistance Programs Can Boost Compliance History Ratings

In October, the TCEQ notified many small businesses that they had been identified as “poor performers” based on a review of their environmental histories.

A “poor” rating can affect how your business operates in Texas by restricting your ability to renew existing permits or obtain new permits. Poor performers may also be subject to higher enforcement penalties and may receive unannounced inspections.

Whether your classification was “average” or “poor,” you may be able to improve your compliance rating by participating in SBLGA’s Site Visit or Environmental Management Systems (EMS) program.

Site Visit

Qualifying for the Compliance Commitment (C2) partnership through the Site Visit program not only may improve your compliance history rating, but also makes you eligible for a **one-year waiver of scheduled inspections** by the TCEQ, the EPA, and local enforcement programs in Houston, Galveston, Dallas, and Fort Worth.

C2 partners receive a confidential evaluation of their environmental compliance, are given an opportunity to correct any problems, and demonstrate complete compliance on a follow-up visit.

If you would like more information about the Site Visit program, contact your local SBLGA specialist or call 1-800-447-2827.

Environmental Management Systems

All businesses and organizations use a management system of some kind. An environmental management system (EMS) is the way your site manages its environmental issues.

Implementing an EMS may not only help to improve your compliance history score, but also often results in cost savings, environmental improvements, and regulatory incentives. For example, with an EMS, you can:

- become exempt from certain requirements of the Waste Reduction Policy Act
- obtain a single point of contact at the TCEQ for air, water, and waste issues
- be eligible for **reduced state and federal inspections**

If you would like more information about EMS, visit www.abouttexasems.org, contact your local SBLGA specialist, or call 1-800-447-2827. ■

UPCOMING EVENTS

SBAC Meetings

Mar. 30, **Dallas**, Small Business Advisory Committee, Melinda Houlihan, 817/588-5868
Feb. 26, **Beaumont**, Small Business Advisory Committee, Charlie Adams, 409/899-8788
Jan. 14, **Houston**, Small Business Advisory Committee, Cynthia Williams, 713/767-3549

Compost Workshops

Details and online registration at www.tnrcc.state.tx.us/admin/events/03-10greenindustry.pdf
Registration contact - Elisha Wiley, 512/239-1975
Jan. 13, Austin • Jan. 15, Laredo • Jan. 27, McAllen • Feb. 10, Austin • Feb. 12, San Antonio

Industrial Storm Water Workshops

Feb. 3, Pasadena, Cynthia Williams, 713/767-3549
Feb. 5, Houston, Cynthia Williams, 713/767-3549

Surface Coating and Abrasive Blasting Workshop

Jan. 28, Victoria, Glenda Swierc, 361/825-3421

Surface Coating and Abrasive Blasting Workshop

Mar. 11, El Paso, Pam Aguirre, 915/834-4971

Local Specialists are Ready to Help You!

You’ve also got free, confidential help right in your back yard. Just check the list below for your local compliance assistance specialist:

Region 1 (Amarillo)

Ross Muir 806/468-0505

Region 2 (Lubbock)

Celeste Hoehne 806/788-5005

Region 3 (Abilene)

Mandy Ellifritz 325/698-6104

Region 4 (Dallas/Ft. Worth)

Mike Smithson 817/588-5836

Region 5 (Tyler)

Kathy Bell 903/535-5158

Region 6 (El Paso)

Pamela Aguirre 915/834-4971

Region 7 (Midland)

Kit Owens 432/620-6116

Region 8 (San Angelo)

George Ortiz 325/481-8061

Region 9 (Waco)

Elaine Alexander 254/761-3044
Polly Porter 254/761-3039

Region 10 (Beaumont)

Charlie Adams 409/899-8788

Region 11 (Austin)

Scott Wiedeman 512/239-7015

Region 12 (Houston)

Clarence Gray 713/767-3582
Cynthia Williams 713/767-3549

Region 13 (San Antonio)

Christine Bergren 210/403-4028
Lynn Lindsay 210/403-4039

Region 14 (Corpus Christi)

Glenda Swierc 361/825-3421

Region 15 (Harlingen)

Kevin Ayarzagaitia 956/389-7425
Neftali Buenrostro 956/389-7426

Region 16 (Laredo)

Carmen Ramirez 956/721-8457

YOU CAN CALL ON US

*Confused about
environmental
regulations?*

*Concerned about
inspections?*

*Who can you
turn to for help?*

Call the folks with
Small Business and Local
Government Assistance

1-800-447-2827

[www.tnrcc.state.tx.us/
exec/sbea/sblga.html](http://www.tnrcc.state.tx.us/exec/sbea/sblga.html)

You can get free, confidential help with questions on air, water, waste, or pollution prevention issues from this special section of the Texas Commission on Environmental Quality (TCEQ).

Small Business and Local Government Assistance (SBLGA) works for you by:

- providing local environmental assistance when and where it's needed;
- giving small business and local government a voice in TCEQ rule and policy making; and
- communicating technical information in plain language.

SBLGA is entirely separate from TCEQ's enforcement program.

With SBLGA, you benefit from:

- a toll-free hotline and Web site with answers to technical questions on air, water, waste, and pollution prevention;
- industry-specific compliance guidebooks for metal finishers, printers, dry cleaners, auto body and auto repair shops, and facilities making wood and fiberglass products;
- the *Local Government Guide to the TNRCC* (GI-145), a reference book with plain language environmental information; and
- many more services.

*The Advocate is
published quarterly by the
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Government Assistance Program.
Comments or suggestions for future
articles should be sent to:*

The Advocate Editor
Small Business and Environmental
Assistance Division, MC 106
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Toll Free
1-800-447-2827
(All calls are confidential)
Fax: 512/239-1065

Web Site:
www.tnrcc.state.tx.us/exec/sbea/sblga.html



The TCEQ is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at 512/239-0028, Fax 512/239-4488 or 1-800-RELAY-TX (TDD), or by writing P.O. Box 13087, Austin, TX 78711-3087.

RETURN SERVICE REQUESTED

SMALL BUSINESS AND ENVIRONMENTAL
ASSISTANCE DIVISION, MC 106
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY
PO BOX 13087
AUSTIN TX 78711-3087



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